

REMARKS

Claims 1-21 are pending in the present application. Claims 1, 3, 7, 14 and 21 are independent.

Claim Objection

Claim 21 has been objected to because of a minor informality, which has been corrected. Accordingly, this objection should be withdrawn.

In addition, claim 7 has been amended to correct a minor informality.

35 U.S.C. § 103 Rejection

Claims 1-11 and 13-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maeda et al. (U.S. Patent No. 6,226,589) in view of Mohi et al. (US 2003/0195008). This rejection is respectfully traversed.

Regarding independent claim 1, the Examiner correctly acknowledges that “Maeda et al. fails to disclose receiving, from a traffic center, the shortest distance between a location of the apparatus and a location of the other party’s moving object determined according to at least traffic information of the other party’s moving object, and displaying the received shortest distance using the display means” on page 4, lines 6-9 of the Final Office Action. To correct this deficiency, the Examiner then relies on Mohi et al. and alleges that Mohi et al. discloses these features absent from Maeda et al. Applicants respectfully disagree.

Mohi et al. is directed to a controller unit such as a cellular telephone, which can receive the position of a rover unit. Paragraphs [0141] and [0143] of Mohi et al., which the Examiner relied on to allegedly teach the deficiencies of Maeda et al., however, merely disclose that the user can receive updated traffic information as he is traveling. Separately, in Mohi et al. the user can enter a fixed destination such as an address and the system can display the location of the destination in addition to the user's current position for self-navigation purposes or to provide turn instructions to the user to help in navigating to the destination. But, Mohi et al. nowhere discloses that such self-navigation system actually identifies the shortest distance between the user's position and the fixed destination according to the traffic information of the fixed destination. The self-navigation operation of Mohi et al. is completely separate and independently operated from the operation of providing updated traffic information. In other words, Mohi et al. merely teaches that the user is provided with the updated traffic information as the user travels, but no traffic information is used in determining the shortest distance between the user and the fixed destination.

The Examiner also alleges that using traffic information in order to provide the shortest distance to a destination is well known in the art. Applicant respectfully disagrees since the prior art of record including Mohi et al. does not disclose the apparatus for guiding a location of the other party in a navigation system, wherein the shortest distance between a location of the apparatus and a location of the other party's moving object is determined to according to at least traffic information of the other party's moving object.

Therefore, even if Maeda et al. is modified in view of Mohi et al., assuming *arguendo*, the combination of these references will merely teach providing updated traffic information to the user of Maeda et al. independent from the operation of providing navigation information between the user and a desired location.

Furthermore, in Applicant's invention, the traffic information pertains to the other party's moving object and not the traffic information of a fixed location. Also, the shortest distance is calculating between the location of the apparatus and the location of the other party's moving object and this distance is determined according to the traffic information of the other party's moving object. Such integrated system between the navigation system and the traffic information system as provided by Applicant's invention is neither taught nor suggested by Maeda et al. and Mohi et al., either taken singularly or in combination.

Accordingly, the combination of references fails to teach or suggest, *inter alia* "receiving, from a traffic information center, the shortest distance between a location of the apparatus and a location of the other party's moving object determined according to at least traffic information of the other party's moving object," as recited in independent claim 1. Other independent claims 3, 7, 14 and 21 recite similar features in a varying scope.

Therefore, independent claims 1, 3, 7, 14 and 21 and their dependent claims (due to their dependency) are patentable over the applied references, and the rejection is improper and should be withdrawn.

Claim 12 has been rejected under 35 U.S.C § 103(a) as being unpatentable over Maeda et al. in view of Mohi et al. and Theimer et al. (U.S. Patent No. 6,240,363). This rejection is respectfully traversed.

As discussed above, Maeda et al. does not teach or suggest the invention as set forth in independent claim 1 and similarly in independent claim 7 from which claim 12 depends. Furthermore, Theimer et al. does not overcome these deficiencies in the combination of Maeda et al. and Mohi et al. since Theimer et al. is merely relied on for teaching the use of a SMS. Thus, even if the references were combinable, assuming *arguendo*, the combination would still fail to teach or suggest the invention as recited in claim 12. Accordingly, the rejection is improper and should be withdrawn.

Conclusion

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

The Examiner is respectfully requested to enter this Amendment After Final Rejection, in that it raises no new issues but merely places the claims in a form more clearly patentable over the references of record. In the alternative, the Examiner is respectfully requested to enter this Amendment After Final Rejection in that it reduces the issues for appeal.

Application No. 10/775,226
Amendment dated August 3, 2006
After Final Office Action of May 3, 2006

Docket No.: 3449-0303P

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

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Respectfully submitted,

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